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S&H Form: (10/03)

REPLY/AMENDMENT FEE TRANSMITTAL

Attorney Docket No.	826.1720
Application Number	09/819,703
Filing Date	March 29, 2001
First Named Inventor	Kenichiro SAKAI
Group Art Unit	2676
Examiner Name	Allen E. Quillen

AMOUNT ENCLOSED	0.00

FEE CALCULATION (fees effective 10/01/03)

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	13	- 20 =	0	X $ 50.00 =	$ 0.00
INDEPENDENT CLAIMS	5	- 5 =	0	X $ 200.00 =	0.00

Since an Official Action set an original due date of December 15, 2004, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month ($120)); (2 months ($450)); (3 months ($1,020)); (4 months ($1,590)); (5 months ($2,160):	
If Notice of Appeal is enclosed, add ($500.00)	
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee ($130.00)	
Information Disclosure Statement (Rule 1.17(p)) ($180.00)	
Total of above Calculations =	$ 0.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)	
TOTAL FEES DUE =	$ 0.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

☐ Check enclosed as payment.

☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.

☒ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION

☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No.	19-3935
Deposit Account Name	STAAS & HALSEY LLP

☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name	Richard A. Gollhofer	Reg. No.	31,106
Signature	Richard A. Gollhofer	Date	12/14/04

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BOX AF

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2676
Docket No.: 826.1720

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenichiro SAKAI, et al.

Serial No. 09/819,703 Group Art Unit: 2676

Confirmation No. 4089

Filed: March 29, 2001 Examiner: Allen E. Quillen

For: IMAGE DISPLAY DEVICE AND DATA WRITING METHOD IN IMAGE DISPLAY DEVICE

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R §1.116

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: **BOX AF**

Sir:

This is in response to the final Office Action mailed September 15, 2004 which has a response due on December 15, 2004. In the Office Action, the Examiner noted that claims 1-5 and 7-14 were pending in the application; rejected claims 11 and 13 under 35 U.S.C. §§ 102(b) and 102(e); and rejected claims 1-5, 7-10, 12 and 14 under 35 U.S.C. § 103(a). In rejecting the claims, U.S. Patents 5,218,607 to Saito et al.; 5,453,805 to Itoh; 6,119,611 to Tomita (References A, B and F in the April 26, 2004 Office Action); and 6,137,534 to Anderson (Reference A in the May 19 and December 10, 2003 Office Actions) were cited. Claims 1-5 and 7-14 remain in the case. The Examiner's rejections are traversed below.

In the Response to Arguments on pages 6-7 of the Office Action, the Examiner asserted that the limitation added to the independent claims "fails to add any additional patentable limitation to the claims" (page 7, lines 2-3), "because if the data [is] already stored in the memory why do you want to store again for nothing" (page 7, lines 5-6). The Applicants respectfully disagree with the Examiner. It is a common practice in many areas of the computer art to save information without checking to see whether the information being saved has already been saved. The

limitations added to the independent claims in the Amendment filed July 26, 2004 require that the system checks to see whether information has been saved prior to saving. Any system that does not perform such a check would not meet the limitations recited in the independent claims. The Examiner is respectfully requested to cite specifically where each of the three references identified as anticipating the present invention clearly teach checking to see whether "display information for indicating a display state of a currently displayed image" (e.g., claim 1, lines 9-10) has been saved prior to saving it. The Examiner's attention is directed to the preceding quotation which defines "display information" not as the image itself, but rather "information for indicating a display state of a currently displayed image" (e.g., claim 1, lines 9-10).

In the July 26, 2004 Amendment, the teachings of the anticipatory references were not addressed, because the April 26, 2004 Office Action (to which the July 26, 2004 Amendment responded) did not reject claim 6 as anticipated by any of Saito et al., Itoh or Tomita. Claim 6 was dependent from claim 1 and recited "if display information to be written in said non-volatile storage unit is the same as a value stored in said non-volatile storage unit, said display information writing unit does not write the display information." The Examiner is respectfully requested to explain how this limitation differs from the limitation added to the independent claims in the July 26, 2004 Amendment if the independent claims are anticipated by Saito et al., Itoh, Tomita, but claim 6 was not.

Furthermore, the Applicants respectfully disagree with the Examiner's characterization of the differences between the claimed invention and Anderson in the last paragraph on page 6 of the Office Action. Claim 6 is not directed to "instant review mode", but rather the ability to return a device to its previous display state after the device is turned off, without performing unnecessary operations as the device is turned off. As discussed in the July 26, 2004 Amendment, the claimed invention has nothing whatsoever to do with the inability of the device taught by Anderson that "once a user leaves instant review mode through the software command, the last image may not be recalled onto the screen by switching back to instant review mode" (column 12, lines 4-6). According to the present invention, if a device is turned off and then back on, the last displayed image is displayed. However, if the current display state was saved before initiation of turning off the device, the display state is not saved when the device is turned off. Thus, a device according to the present invention is able to perform something that a device taught by Anderson apparently cannot, i.e., display a previously displayed image.

For the above reasons, it is respectfully submitted that claims 1-5 and 7-14 patentably distinguish over the cited prior art taken individually or in combination. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 12/14/04

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